

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES L. BROOKS,

Plaintiff,

No. CIV S-03-2343 DFL PAN P

vs.

EDWARD S. ALAMEIDA, JR., et al.,

Defendants.

ORDER

Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983.

On August 23, 2005, the court ordered the United States Marshal to serve the complaint on defendants. Process directed to defendant Watson was returned unserved because the United States Marshal was unable to locate said defendant with the information provided. On July 5, 2006, plaintiff filed a request for a further order to the United States Marshal to serve defendant Watson, or to substitute the person who has replaced Dr. Watson at High Desert State Prison (High Desert) if, as indicated on the return of service, Dr. Watson is no longer at High Desert. The claim raised against Dr. Watson is personal to said defendant, and plaintiff seeks money damages on the claim. There are no grounds in the record that support substitution of another physician at High Desert as a defendant in this action. Plaintiff will, however, be given

1 an opportunity to seek, and then to provide, additional information to serve this defendant.
2 Plaintiff shall promptly seek such information through discovery, the California Public Records
3 Act, Calif. Gov't. Code § 6250, et seq., or other means available to plaintiff. If access to the
4 required information is denied or unreasonably delayed, plaintiff may seek judicial intervention.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The Clerk of the Court is directed to send to plaintiff one USM-285 forms,
7 along with an instruction sheet and a copy of the amended complaint filed July 11, 2005;

8 2. Within sixty days from the date of this order, plaintiff shall complete and
9 submit the attached Notice of Submission of Documents to the court, with the following
10 documents:

11 a. One completed USM-285 form for defendant Watson;

12 b. Two copies of the endorsed amended complaint filed July 11, 2005;

13 and

14 c. One completed summons form (if not previously provided)

15 or show good cause why he cannot provide such information.

16 DATED: August 28, 2006.

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19 UNITED STATES MAGISTRATE JUDGE

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NOTICE OF SUBMISSION
OF DOCUMENTS

Defendants.

_____ /

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____:

_____ completed summons form

_____ completed USM-285 forms

_____ copies of the _____
Amended Complaint

DATED:

Plaintiff